

WATER (AMENDMENT) BILL

*Schedule of the Amendments referred to in Legislative Council's Message
of 18 March, 1976.*

- No. 1.—Page 5, Schedule 1, lines 18 to 21 inclusive. *Omit* all words on these lines.
- No. 2.—Page 6, Schedule 1, line 8. *Omit* “(6)” *insert* “(5)”.
- No. 3.—Page 7, Schedule 1, line 14. *Omit* “(7)” *insert* “(6)”.
- No. 4.—Page 1, Title. *Omit* “; and to authorise the Water Conservation and Irrigation Commission to refuse to deliver, or to discontinue the delivery of, water to any land if certain rates or charges are unpaid”.
-

MEMORANDUM

TO: THE PRESIDENT

FROM: THE SECRETARY OF STATE

SUBJECT: [Illegible]

[Illegible text]

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 11 March, 1976.*

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

A. W. SAXON,
Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, 18 March, 1976.*

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. , 1976.

An Act to increase the interest rate on certain debts payable under the Water Act, 1912; to make charges for additional water delivered under that Act to any land a charge upon the land; and to authorise the Water Conservation and Irrigation Commission to refuse to deliver, or to discontinue the delivery of, water to any land if certain rates or charges are unpaid.

BE

5591 625—

NOTE.—The words and figures to be *omitted* are ruled through; those to be *inserted* are printed in **black letter**.

Water (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Water (Amendment) Act, 1976". Short title.

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commencement.

10 (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

15 3. The Water Act, 1912, is amended in the manner set forth in Schedule 1. Amendment of Act No. 44, 1912.

4. Nothing in this Act affects the operation of section 3 of the Finances Adjustment Act, 1932, in relation to any debt incurred before the day appointed and notified under section 2 (2). Saving.

20

SCHEDULE 1.

Sec. 3.

AMENDMENTS TO THE WATER ACT, 1912.

(1) Section 55B (2), (2A)—

Omit section 55B (2), insert instead :—

25 (2) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (a) before 1st July, 1936—at the rate of seven per centum per annum;
- (b) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 10 (c) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (1) to the **Water (Amendment) Act, 1976**—at the rate of seven per centum per annum;
- 15 (d) on or after that date of commencement and—
- (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (e) is made, before the date that regulation takes effect,
- 20 whichever date referred to in subparagraph (i) or (ii) first occurs—at the rate of ten per centum per annum; or
- (e) during any period during which a regulation prescribing a rate of interest for the purpose
- 25 of this paragraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

- (2A) The Commission, with the approval of the Governor, may make regulations prescribing rates
- 30 of interest for the purpose of subsection (2) (e).

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(2) Section 139 (2) (b), (b1)—

Omit section 139 (2) (b), insert instead :—

- 5 (b) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—
- 10 (i) before 1st July, 1936—at the rate of seven per centum per annum;
- (ii) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 15 (iii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (2) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- 20 (iv) on or after that date of commencement and—
- (a) before the date of payment; or
- (b) where a regulation referred to in subparagraph (v) is made, before the date that regulation takes effect,
- 25 whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs— at the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (v) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (v).

(3) Section 142—

15 After “following” wherever occurring, insert “or within one month after the date of notification of assessment, whichever is the later”.

(4) Section 143 (2)—

Omit “except”, insert instead “including”.

~~(5) Section 147 (2A)—~~

20 Omit “, and have been for a period of not less than six months after the due date of payment, unpaid”, insert instead “due for payment and are unpaid”.

~~(6) (5) Section 159 (2) (b), (b1)—~~

Omit section 159 (2) (b), insert instead :—

25 (b) If the rates so assessed and levied are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (i) before 1st July, 1970—at the rate of five per centum per annum;
- (ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 ~~(6)~~ **(5)** to the Water (Amendment) Act, 1976
10 —at the rate of seven per centum per annum;
- (iii) on or after that date of commencement and—
- (a) before the date of payment; or
15 (b) where a regulation referred to in subparagraph (iv) is made, before the date that regulation takes effect,
- whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—
20 at the rate of ten per centum per annum; or
- (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,
- 25 and any such increase shall be deemed to be part of the rates.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

~~(7)~~ (6) Section 175 (1) (b), (b1)—

Omit section 175 (1) (b), insert instead :—

5 (b) If any contribution or instalment of contribu-
tion or any rate so payable is unpaid at the expiration
of three months after the due date for payment, the
amount due shall be increased by a sum calculated in
10 respect of so much of the period between the due date
and payment as occurred—

(i) before 1st July, 1970—at the rate of five per
centum per annum;

15 (ii) on or after 1st July, 1970, and before the
date of commencement of Schedule 1 ~~(7)~~
(6) to the Water (Amendment) Act, 1976
—at the rate of seven per centum per
annum;

(iii) on or after that date of commencement
and—

20 (a) before the date of payment; or

(b) where a regulation referred to in
subparagraph (iv) is made, before
the date that regulation takes effect,

25 whichever date referred to in paragraph (a)
or (b) of this subparagraph first occurs—at
the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the contribution, instalment of contribution or rate, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 11 March, 1976.*

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. , 1976.

An Act to increase the interest rate on certain debts payable under the Water Act, 1912; to make charges for additional water delivered under that Act to any land a charge upon the land; and to authorise the Water Conservation and Irrigation Commission to refuse to deliver, or to discontinue the delivery of, water to any land if certain rates or charges are unpaid.

BE

Water (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Water (Amendment) Act, 1976".

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commencement.

10 (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

15 3. The Water Act, 1912, is amended in the manner set forth in Schedule 1. Amendment of Act No. 44, 1912.

4. Nothing in this Act affects the operation of section 3 of the Finances Adjustment Act, 1932, in relation to any debt incurred before the day appointed and notified under section 2 (2). Saving.

20 **SCHEDULE 1.** Sec. 3.

AMENDMENTS TO THE WATER ACT, 1912.

(1) Section 55B (2), (2A)—

Omit section 55B (2), insert instead :—

25 (2) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (a) before 1st July, 1936—at the rate of seven per centum per annum;
- (b) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 10 (c) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (1) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- 15 (d) on or after that date of commencement and—
- (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (e) is made, before the date that regulation takes effect,
- 20 whichever date referred to in subparagraph (i) or (ii) first occurs—at the rate of ten per centum per annum; or
- (e) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—at that rate,
- 25

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

- 30 (2A) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of subsection (2) (e).

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(2) Section 139 (2) (b), (b1)—

Omit section 139 (2) (b), insert instead :—

- 5 (b) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—
- 10 (i) before 1st July, 1936—at the rate of seven per centum per annum;
- (ii) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 15 (iii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (2) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- 20 (iv) on or after that date of commencement and—
- (a) before the date of payment; or
- (b) where a regulation referred to in subparagraph (v) is made, before the date that regulation takes effect,
- 25 whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—
at the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (v) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (v).

(3) Section 142—

15 After “following” wherever occurring, insert “or within one month after the date of notification of assessment, whichever is the later”.

(4) Section 143 (2)—

Omit “except”, insert instead “including”.

(5) Section 147 (2A)—

20 Omit “, and have been for a period of not less than six months after the due date of payment, unpaid”, insert instead “due for payment and are unpaid”.

(6) Section 159 (2) (b), (b1)—

Omit section 159 (2) (b), insert instead :—

25 (b) If the rates so assessed and levied are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (i) before 1st July, 1970—at the rate of five per centum per annum;
- 10 (ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (6) to the Water (Amendment) Act, 1976— at the rate of seven per centum per annum;
- (iii) on or after that date of commencement and—
 - (a) before the date of payment; or
 - 15 (b) where a regulation referred to in subparagraph (iv) is made, before the date that regulation takes effect, whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs— at the rate of ten per centum per annum; or
- 20 (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,
- 25 and any such increase shall be deemed to be part of the rates.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(7) Section 175 (1) (b), (b1)—

Omit section 175 (1) (b), insert instead :—

- 5 (b) If any contribution or instalment of contribu-
tion or any rate so payable is unpaid at the expiration
of three months after the due date for payment, the
amount due shall be increased by a sum calculated in
10 respect of so much of the period between the due date
and payment as occurred—
- (i) before 1st July, 1970—at the rate of five per
centum per annum;
- 15 (ii) on or after 1st July, 1970, and before the
date of commencement of Schedule 1 (7)
to the Water (Amendment) Act, 1976—at
the rate of seven per centum per annum;
- (iii) on or after that date of commencement
and—
- (a) before the date of payment; or
- 20 (b) where a regulation referred to in
subparagraph (iv) is made, before
the date that regulation takes effect,
- 25 whichever date referred to in paragraph (a)
or (b) of this subparagraph first occurs—at
the rate of ten per centum per annum; or

SCHEDULE

Water Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the contribution, instalment of contribution or rate, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

No. , 1976.

A BILL

To increase the interest rate on certain debts payable under the Water Act, 1912; to make charges for additional water delivered under that Act to any land a charge upon the land; and to authorise the Water Conservation and Irrigation Commission to refuse to deliver, or to discontinue the delivery of, water to any land if certain rates or charges are unpaid.

[MR COWAN—3 March, 1976.]

Water (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Water (Amendment) Act, 1976". Short title.

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commence-
ment.

10 (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Water Act, 1912, is amended in the manner set forth in Schedule 1. Amendment
of Act
No. 44,
1912.

4. Nothing in this Act affects the operation of section 3 of the Finances Adjustment Act, 1932, in relation to any debt incurred before the day appointed and notified under section 2 (2). Saving.

20 **SCHEDULE 1.** Sec. 3.

AMENDMENTS TO THE WATER ACT, 1912.

(1) Section 55B (2), (2A)—

Omit section 55B (2), insert instead :—

25 (2) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (a) before 1st July, 1936—at the rate of seven per centum per annum;
- (b) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 10 (c) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (1) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- 15 (d) on or after that date of commencement and—
- (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (e) is made, before the date that regulation takes effect,
- 20 whichever date referred to in subparagraph (i) or (ii) first occurs—at the rate of ten per centum per annum; or
- 25 (e) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

- 30 (2A) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of subsection (2) (e).

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(2) Section 139 (2) (b), (b1)—

Omit section 139 (2) (b), insert instead :—

- 5 (b) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—
- 10 (i) before 1st July, 1936—at the rate of seven per centum per annum;
- (ii) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 15 (iii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (2) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- 20 (iv) on or after that date of commencement and—
- (a) before the date of payment; or
- (b) where a regulation referred to in subparagraph (v) is made, before the date that regulation takes effect,
- 25 whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs— at the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (v) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (v).

(3) Section 142—

15 After “following” wherever occurring, insert “or within one month after the date of notification of assessment, whichever is the later”.

(4) Section 143 (2)—

Omit “except”, insert instead “including”.

(5) Section 147 (2A)—

20 Omit “, and have been for a period of not less than six months after the due date of payment, unpaid”, insert instead “due for payment and are unpaid”.

(6) Section 159 (2) (b), (b1)—

Omit section 159 (2) (b), insert instead :—

25 (b) If the rates so assessed and levied are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (i) before 1st July, 1970—at the rate of five per centum per annum;
- (ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (6) to the Water (Amendment) Act, 1976—
10 at the rate of seven per centum per annum;
- (iii) on or after that date of commencement and—
- (a) before the date of payment; or
- (b) where a regulation referred to in
15 subparagraph (iv) is made, before the date that regulation takes effect, whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs— at the rate of ten per centum per annum; or
- 20 (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,
- 25 and any such increase shall be deemed to be part of the rates.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(7) Section 175 (1) (b), (b1)—

Omit section 175 (1) (b), insert instead :—

5 (b) If any contribution or instalment of contribu-
tion or any rate so payable is unpaid at the expiration
of three months after the due date for payment, the
amount due shall be increased by a sum calculated in
10 respect of so much of the period between the due date
and payment as occurred—

(i) before 1st July, 1970—at the rate of five per
centum per annum;

15 (ii) on or after 1st July, 1970, and before the
date of commencement of Schedule 1 (7)
to the Water (Amendment) Act, 1976—at
the rate of seven per centum per annum;

(iii) on or after that date of commencement
and—

(a) before the date of payment; or

20 (b) where a regulation referred to in
subparagraph (iv) is made, before
the date that regulation takes effect,

25 whichever date referred to in paragraph (a)
or (b) of this subparagraph first occurs—at
the rate of ten per centum per annum; or

Water Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the contribution, instalment of contribution or rate, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

PROOF

WATER (AMENDMENT) BILL, 1976

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to increase to ten per centum per annum or if another rate is prescribed by regulation to that prescribed rate the interest rate on certain debts payable under the Water Act, 1912;
 - (b) to make charges for additional water delivered under that Act to any land a charge upon the land;
 - (c) to authorise the Water Conservation and Irrigation Commission to refuse to deliver, or to discontinue the delivery of, water to any land if certain rates or charges are unpaid; and
 - (d) to make other provisions of a minor or ancillary character.
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1974

WETTER (AMENDMENT) BILL 1974

BY THE GOVERNMENT

The Government has the honor to announce that the Bill for the amendment of the Wetter Act, 1974, has been introduced in the Parliament of the State of New South Wales. The Bill is intended to amend the Wetter Act, 1974, in relation to the powers of the Director of the Department of the Environment and Planning in relation to the control of the discharge of pollutants into the atmosphere.

No. , 1976.

A BILL

To increase the interest rate on certain debts payable under the Water Act, 1912; to make charges for additional water delivered under that Act to any land a charge upon the land; and to authorise the Water Conservation and Irrigation Commission to refuse to deliver, or to discontinue the delivery of, water to any land if certain rates or charges are unpaid.

[MR COWAN—3 March, 1976.]

BE

Water (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Water (Amendment) Act, 1976".

2. (1) This section and section 1 shall commence on the date of assent to this Act. Commence-
ment.

10 (2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Water Act, 1912, is amended in the manner set forth in Schedule 1. Amendment
of Act
No. 44,
1912.

4. Nothing in this Act affects the operation of section 3 of the Finances Adjustment Act, 1932, in relation to any debt incurred before the day appointed and notified under section 2 (2). Saving.

20 **SCHEDULE 1.** Sec. 3.

AMENDMENTS TO THE WATER ACT, 1912.

(1) Section 55B (2), (2A)—

Omit section 55B (2), insert instead :—

25 (2) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (a) before 1st July, 1936—at the rate of seven per centum per annum;
- (b) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 10 (c) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (1) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- (d) on or after that date of commencement and—
- 15 (i) before the date of payment; or
- (ii) where a regulation referred to in paragraph (e) is made, before the date that regulation takes effect,
- 20 whichever date referred to in subparagraph (i) or (ii) first occurs—at the rate of ten per centum per annum; or
- (e) during any period during which a regulation prescribing a rate of interest for the purpose
- 25 of this paragraph is in force—at that rate,
- and any such increase shall be deemed to be part of the rates or charges, as the case may be.

- (2A) The Commission, with the approval of the Governor, may make regulations prescribing rates
- 30 of interest for the purpose of subsection (2) (e).

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(2) Section 139 (2) (b), (b1)—

Omit section 139 (2) (b), insert instead :—

- 5 (b) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—
- 10 (i) before 1st July, 1936—at the rate of seven per centum per annum;
- (ii) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- 15 (iii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (2) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- 20 (iv) on or after that date of commencement and—
- (a) before the date of payment; or
- (b) where a regulation referred to in subparagraph (v) is made, before the date that regulation takes effect,
- 25 whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs— at the rate of ten per centum per annum; or

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (v) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (v).

(3) Section 142—

15 After “following” wherever occurring, insert “or within one month after the date of notification of assessment, whichever is the later”.

(4) Section 143 (2)—

Omit “except”, insert instead “including”.

(5) Section 147 (2A)—

20 Omit “, and have been for a period of not less than six months after the due date of payment, unpaid”, insert instead “due for payment and are unpaid”.

(6) Section 159 (2) (b), (b1)—

Omit section 159 (2) (b), insert instead :—

25 (b) If the rates so assessed and levied are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- 5 (i) before 1st July, 1970—at the rate of five per centum per annum;
- 10 (ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (6) to the Water (Amendment) Act, 1976—
at the rate of seven per centum per annum;
- (iii) on or after that date of commencement and—
 - (a) before the date of payment; or
 - 15 (b) where a regulation referred to in subparagraph (iv) is made, before the date that regulation takes effect,
whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—
at the rate of ten per centum per annum; or
 - 20 (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

25 and any such increase shall be deemed to be part of the rates.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(7) Section 175 (1) (b), (b1)—

Omit section 175 (1) (b), insert instead :—

- 5 (b) If any contribution or instalment of contribu-
 tion or any rate so payable is unpaid at the expiration
 of three months after the due date for payment, the
 amount due shall be increased by a sum calculated in
 10 respect of so much of the period between the due date
 and payment as occurred—
- (i) before 1st July, 1970—at the rate of five per
 centum per annum;
- 15 (ii) on or after 1st July, 1970, and before the
 date of commencement of Schedule 1 (7)
 to the Water (Amendment) Act, 1976—at
 the rate of seven per centum per annum;
- (iii) on or after that date of commencement
 and—
- (a) before the date of payment; or
- 20 (b) where a regulation referred to in
 subparagraph (iv) is made, before
 the date that regulation takes effect,
- 25 whichever date referred to in paragraph (a)
 or (b) of this subparagraph first occurs—at
 the rate of ten per centum per annum; or

SCHEDULE

Water Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

5 (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the contribution, instalment of contribution or rate, as the case may be.

10 (b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 33, 1976.

An Act to increase the interest rate on certain debts payable under the Water Act, 1912; to make charges for additional water delivered under that Act to any land a charge upon the land. [Assented to, 1st April, 1976.]

BE

Water (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Water (Amendment) Act, 1976".

Commence-
ment. **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act
No. 44,
1912. **3.** The Water Act, 1912, is amended in the manner set forth in Schedule 1.

Saving. **4.** Nothing in this Act affects the operation of section 3 of the Finances Adjustment Act, 1932, in relation to any debt incurred before the day appointed and notified under section 2 (2).

Sec. 3.

SCHEDULE 1.

AMENDMENTS TO THE WATER ACT, 1912.

(1) Section 55B (2), (2A)—

Omit section 55B (2), insert instead :—

(2) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- (a) before 1st July, 1936—at the rate of seven per centum per annum;
- (b) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- (c) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (1) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- (d) on or after that date of commencement and—
 - (i) before the date of payment; or
 - (ii) where a regulation referred to in paragraph (e) is made, before the date that regulation takes effect,whichever date referred to in subparagraph (i) or (ii) first occurs—at the rate of ten per centum per annum; or

- (e) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

(2A) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of subsection (2) (e).

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(2) Section 139 (2) (b), (b1)—

Omit section 139 (2) (b), insert instead :—

(b) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—

- (i) before 1st July, 1936—at the rate of seven per centum per annum;
- (ii) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- (iii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (2) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- (iv) on or after that date of commencement and—

- (a) before the date of payment; or

- (b) where a regulation referred to in subparagraph (v) is made, before the date that regulation takes effect,

whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—
at the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

- (v) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (v).

(3) Section 142—

After “following” wherever occurring, insert “or within one month after the date of notification of assessment, whichever is the later”.

(4) Section 143 (2)—

Omit “except”, insert instead “including”.

(5) Section 159 (2) (b), (b1)—

Omit section 159 (2) (b), insert instead :—

(b) If the rates so assessed and levied are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

 SCHEDULE 1—*continued.*

 AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- (i) before 1st July, 1970—at the rate of five per centum per annum;
- (ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (5) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- (iii) on or after that date of commencement and—
 - (a) before the date of payment; or
 - (b) where a regulation referred to in subparagraph (iv) is made, before the date that regulation takes effect,
 whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—at the rate of ten per centum per annum; or
- (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(6) Section 175 (1) (b), (b1)—

Omit section 175 (1) (b), insert instead :—

(b) If any contribution or instalment of contribution or any rate so payable is unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—

(i) before 1st July, 1970—at the rate of five per centum per annum;

(ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (6) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;

(iii) on or after that date of commencement and—

(a) before the date of payment; or

(b) where a regulation referred to in subparagraph (iv) is made, before the date that regulation takes effect,

whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—at the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WATER ACT, 1912—*continued.*

- (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the contribution, instalment of contribution or rate, as the case may be.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1976

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 25 March, 1976.*

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 33, 1976.

An Act to increase the interest rate on certain debts payable under the Water Act, 1912; to make charges for additional water delivered under that Act to any land a charge upon the land. [Assented to, 1st April, 1976.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

J. H. BROWN,
Chairman of Committees of the Legislative Assembly.

Water (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title. **1.** This Act may be cited as the "Water (Amendment) Act, 1976".

**Commence-
ment.** **2.** (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Amendment
of Act
No. 44,
1912.** **3.** The Water Act, 1912, is amended in the manner set forth in Schedule 1.

Saving. **4.** Nothing in this Act affects the operation of section 3 of the Finances Adjustment Act, 1932, in relation to any debt incurred before the day appointed and notified under section 2 (2).

Sec. 3.**SCHEDULE 1.****AMENDMENTS TO THE WATER ACT, 1912.**

(1) Section 55B (2), (2A)—

Omit section 55B (2), insert instead :—

(2) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- (a) before 1st July, 1936—at the rate of seven per centum per annum;
- (b) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;
- (c) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (1) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- (d) on or after that date of commencement and—
 - (i) before the date of payment; or
 - (ii) where a regulation referred to in paragraph (e) is made, before the date that regulation takes effect,

whichever date referred to in subparagraph (i) or (ii) first occurs—at the rate of ten per centum per annum; or

- (e) during any period during which a regulation prescribing a rate of interest for the purpose of this paragraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

(2A) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of subsection (2) (e).

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(2) Section 139 (2) (b), (b1)—

Omit section 139 (2) (b), insert instead :—

(b) If the rates and charges are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—

(i) before 1st July, 1936—at the rate of seven per centum per annum;

(ii) on or after 1st July, 1936, and before 1st July, 1970—at the rate of five per centum per annum;

(iii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (2) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;

(iv) on or after that date of commencement and—

(a) before the date of payment; or

(b) where a regulation referred to in subparagraph (v) is made, before the date that regulation takes effect,

whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—
at the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(v) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates or charges, as the case may be.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (v).

(3) Section 142—

After “following” wherever occurring, insert “or within one month after the date of notification of assessment, whichever is the later”.

(4) Section 143 (2)—

Omit “except”, insert instead “including”.

(5) Section 159 (2) (b), (b1)—

Omit section 159 (2) (b), insert instead :—

(b) If the rates so assessed and levied are unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WATER ACT, 1912—*continued.*

calculated in respect of so much of the period between the due date and payment as occurred—

- (i) before 1st July, 1970—at the rate of five per centum per annum;
- (ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (5) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;
- (iii) on or after that date of commencement and—
 - (a) before the date of payment; or
 - (b) where a regulation referred to in subparagraph (iv) is made, before the date that regulation takes effect, whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—at the rate of ten per centum per annum; or
- (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the rates.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

Water (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE WATER ACT, 1912—*continued.*

(6) Section 175 (1) (b), (b1)—

Omit section 175 (1) (b), insert instead :—

(b) If any contribution or instalment of contribution or any rate so payable is unpaid at the expiration of three months after the due date for payment, the amount due shall be increased by a sum calculated in respect of so much of the period between the due date and payment as occurred—

(i) before 1st July, 1970—at the rate of five per centum per annum;

(ii) on or after 1st July, 1970, and before the date of commencement of Schedule 1 (6) to the Water (Amendment) Act, 1976—at the rate of seven per centum per annum;

(iii) on or after that date of commencement and—

(a) before the date of payment; or

(b) where a regulation referred to in subparagraph (iv) is made, before the date that regulation takes effect,

whichever date referred to in paragraph (a) or (b) of this subparagraph first occurs—at the rate of ten per centum per annum; or

SCHEDULE

Water (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE WATER ACT, 1912—*continued.*

- (iv) during any period during which a regulation prescribing a rate of interest for the purpose of this subparagraph is in force—at that rate,

and any such increase shall be deemed to be part of the contribution, instalment of contribution or rate, as the case may be.

(b1) The Commission, with the approval of the Governor, may make regulations prescribing rates of interest for the purpose of paragraph (b) (iv).

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 1st April, 1976.*